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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
for the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

THE HARNICK BROTHERS PARTNERSHIP,
MARTIN R. HARNICK & STEVEN P. NORTON
PARTNERS, MARTIN HARNICK, individually
and in his, capacities as general partner of The
Harnick Brothers Partnership and Martin R.
Harnick & Steven P. Norton Partners, STEVEN P.

Adv. Pro. No. 10-05157 (SMB)

NORTON, individually and in his capacities as general partner of The Harnick Brothers Partnership and Martin R. Harnick & Steven P. Norton Partners, THE ESTATE OF STEVEN HARNICK, THE STEVEN HARNICK REVOCABLE LIVING TRUST DATED APRIL 2, 2002, BARBARA JUNE LANG, individually and in her capacities as the personal representative of the ESTATE OF STEVEN HARNICK and trustee of the THE STEVEN HARNICK REVOCABLE LIVING TRUST DATED APRIL 2, 2002, MICHELLE GLATER, and PAMELA HARNICK,

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL
OF DEFENDANT STEVEN P. NORTON WITH PREJUDICE**

WHEREAS, on December 3, 2010, Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et. seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, filed the above-captioned avoidance action against The Harnick Brothers Partnership, Martin R. Harnick & Steven P. Norton Partners, Martin Harnick, individually and in his, capacities as general partner of The Harnick Brothers Partnership and Martin R. Harnick & Steven P. Norton Partners, Steven P. Norton, individually and in his capacities as general partner of The Harnick Brothers Partnership and Martin R. Harnick & Steven P. Norton Partners, The Estate of Steven Harnick, The Steven Harnick Revocable Living Trust dated April 2, 2002, Barbara June Lang, individually and in her capacities as the personal representative of the Estate of Steven Harnick and trustee of the Steven Harnick Revocable Living Trust dated April 2, 2002, Michelle Glater, and Pamela Harnick (collectively, “Defendants”);

WHEREAS, Defendant Steven P. Norton died on October 6, 2014; and

WHEREAS, the Parties have met and conferred to negotiate a consensual dismissal of Defendant Steven P. Norton from the above-captioned adversary proceeding.

IT IS THEREFORE MUTUALLY AGREED AND STIPULATED, by and between the Trustee and Defendant Steven P. Norton, by and through his counsel, Chaitman, LLP (collectively, the “Parties”), as follows:

1. On December 3, 2010, the Trustee filed and served the Complaint against Defendants.

2. On December 14, 2011, the Trustee filed and served an Amended Complaint against Defendants.

3. On September 18, 2015, Defendants filed an Answer to the Amended Complaint.

4. On November 13, 2015, counsel for Defendant Steven P. Norton notified the Trustee of Defendant Steven P. Norton’s death on October 6, 2014.

5. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Steven P. Norton in the above-captioned adversary proceeding.

6. The Parties reserve all rights, claims and defenses they may have, and entry into this Stipulation shall not impair or otherwise affect such rights, claims and defenses. Nothing contained in this Stipulation can or shall be construed as an adjudication on the merits of claims that the Parties may have against each other or any other party, or as an admission or acknowledgement of any claim or defense as against the other by either Party.

7. Upon the dismissal of Steven P. Norton, the caption for this Proceeding is hereby amended to delete Steven P. Norton from the caption. The amended caption of the Proceeding

shall appear as indicated on Exhibit A to this stipulation.

8. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

9. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: New York, New York
February 5, 2016

Of Counsel:

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Attorney for Defendants

SO ORDERED

Dated: February 8th, 2016
New York, New York

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE